

**CLOSED**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

KURT SCHEUERMAN,	:	Civil Action No. 10-3684 (FSH)
	:	
Plaintiff,	:	
v.	:	
NESTLE HEALTHCARE NUTRITION, INC.	:	
	:	
Defendant.	:	

**O R D E R**

It appearing that it has been reported to the Court that the above-entitled action has been settled,

**IT IS** on this the 29<sup>th</sup> day of August, 2012,

**ORDERED** that this action is hereby dismissed without costs and without prejudice to the right, upon good cause shown within 60 days, to make an application to the Court if the settlement is not consummated. Failure to consummate the settlement will not result in the reopening of this matter by the Court to address the merits of the case; rather, if the settlement is not consummated, the Court will entertain an application solely to enforce the terms of the settlement agreement. Counsel are on notice that the good cause requirement will be stringently applied, and will require an affidavit detailing (a) the terms of the settlement agreement; and (b) why settlement could not be consummated within 60 days.

**ORDERED** that the terms of the settlement agreement are incorporated herein by reference and the Court shall retain jurisdiction over the settlement agreement to enforce its terms.

s/ Faith S. Hochberg  
UNITED STATES DISTRICT JUDGE